

2  
4 a relatively flexible distal segment comprising a knit tubular member and an inner tubular liner in coaxial relationship with the knit tubular member; the knit tubular member being formed from a plurality of interlocking loops.

---

### REMARKS

Claims 1, 24, and 31 are amended herein. Claims 1-53 are currently pending.

A drawing amendment is submitted herewith to add Figure 5 to show the inner proximal liner, outer proximal cover, braid interposed between the inner proximal liner and the outer proximal cover, and the coil interposed between the inner proximal liner and the outer proximal cover, as set forth in the claims and described in the specification. (See original claims 50-52, for example). No new matter has been added.

Claims 1, 2, 6, 13, 16, 18, 19, 20, 21, 23, 24, 27, 31, 34, 40, 43, 45-51 and 53 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,338,295 (Cornelius et al.). Cornelius et al. disclose a dilatation balloon catheter having a shaft with a proximal outer tube section and a distal outer tube section. The proximal section includes a stainless steel braid which is formed by multiple strands of a stainless steel ribbon or wire member which are woven in a clothing weave and encased in polyimide.

Claim 1 is directed to a catheter section comprising an elongate tubular member having a proximal end, a distal end, and a passageway defining a lumen extending between the proximal and distal end. The elongate tubular member comprises a knit tubular member and an inner tubular liner in coaxial relationship with the knit tubular member. Claim 1 has been amended to clarify that the knit tubular member is formed from a plurality of interlocking loops (see Fig. 4). As shown in Figure 2 of Cornelius et al., the catheter is formed from a woven braid member and includes no interlocking loops as

required by claim 1. Accordingly, claim 1 is submitted as patentable over Cornelius et al. and the prior art of the record.

Claims 2-23, depending either directly or indirectly from claim 1, are submitted as patentable for the reasons discussed above with regard to claim 1.

Claims 24 and 31 have similarly been amended to specify that the knit tubular member is formed from a plurality of interlocking loops, and are submitted as patentable for the reasons discussed above with regard to claim 1.

Claims 25-30, depending either directly or indirectly from claim 24, and claims 32-53, depending either directly or indirectly from claim 31, are submitted as patentable for the reasons discussed above with respect to claim 1.

Claims 3-5, 7-9, 14-15, 17, 22, 25-26, 32, 33, 35-37, 41, 42, 44, and 52 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Cornelius et al. in view of U.S. Patent No. 5,702,373 (Samson); and claims 10-12, 28-30, and 38-39 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Cornelius et al. in view of Samson ('373) and U.S. Patent No. 5,549,109 (Samson et al.). Samson ('373) discloses a composite super-elastic alloy braid reinforced catheter having a braided ribbon (Figures 2-12). Samson ('109) shows a catheter having a woven section (Fig. 4). Neither of the Samson references shows or suggests a knitted member having a plurality of interlocking loops as set forth in the claims.

As discussed above, the primary reference does not teach the invention as claimed. For the reasons discussed, the secondary references fail to remedy the basic lacking of the primary reference.

Reversal of the rejections is therefore requested.

In view of the foregoing claims 1-53 are submitted as patentable over Cornelius et al. and Samson and the prior art of record. Accordingly, favorable reconsideration and allowance of this patent application is requested.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 290252021800. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

Dated: April 15, 1999

By: 

Cindy S. Kaplan  
Registration No. 40,043

Morrison & Foerster LLP  
755 Page Mill Road  
Palo Alto, California 94304-1018  
Telephone: (650) 813-5764  
Facsimile: (650) 494-0792